

JUL 08 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/720,314	Stefano Donadio	BIO 0753 PA
		INTERNATIONAL APPLICATION NO.
		PCT/EP99/04079
I.A. FILING DATE		PRIORITY DATE
06/14/1999		
CONFIRMATION NO. 2407 371 FORMALITIES LETTER		
 *OC000000008399821*		



Susan M Luna  
 Killworth Gottman Hagan & Schaeff  
 One South Main Street Suite 500  
 One Dayton Centre  
 Dayton, OH 45402-2023

Date Mailed: 07/05/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

**COPY**

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- **APPLICANT MUST PROVIDE:**
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/720,314	PCT/EP99/04079	BIOP 0753 PA

FORM PCT/DO/EO/916 (371 Formalities Notice)



DT06 Rec'd T/PTO 07 AUG 2002 PCT

#70/B  
Luna  
385102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stefano Donadio et al.  
Serial No. : 09/720,314  
Filing Date : December 22, 2000  
Title : METHODS FOR TRANSFERRING THE CAPABILITY TO PRODUCE A NATURAL PRODUCT INTO A SUITABLE PRODUCTION HOST  
Docket : BIO 0753 PA

U.S. Patent and Trademark Office  
BOX SEQUENCE  
Customer Window – Lobby Rm. 1B03  
Crystal Plaza 2  
2011 S. Clark Pl.  
Arlington, VA 22202

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Crystal Plaza 2, 2011 S. Clark Pl., Arlington, VA 22202, on August 2, 2002.

Susan M. Luna  
Agent Reg. No. 38,769

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

In response to the Notice mailed July 5, 2002, applicants submit herewith a computer readable form of the Sequence Listing on a diskette, a paper copy of the Sequence Listing, an amendment requesting entry of the Sequence Listing into the application in accordance with 37 CFR 1.821-1.825, and a copy of the Notice.

Applicants submit that the information recorded in computer readable form is identical to the written sequence listing. The submission herewith includes no new matter.

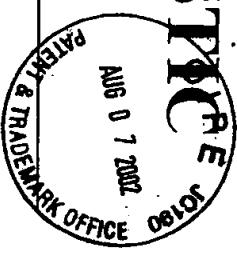
Respectfully submitted,

KILLWORTH, GOTTMAN, HAGAN & SCHAEFF, LLP

By Susan M. Luna  
Susan M. Luna  
Registration No. 38,769

One Dayton Centre  
One South Main St., Suite 500  
Dayton, OH 45402-2023  
(937)223-2050  
Facsimile: (937)223-0724

DISK TO SPICE



DATE: